



DEPARTMENT OF THE ARMY  
ASSISTANT SECRETARY  
INSTALLATIONS LOGISTICS AND ENVIRONMENT  
110 ARMY PENTAGON  
WASHINGTON DC 20310-0110

January 27, 1999

MEMORANDUM THRU DIRECTOR OF THE ARMY STAFF

FOR ASSISTANT CHIEF OF STAFF FOR INSTALLATION MANAGEMENT

SUBJECT: Department of Defense American Indian and Alaska Native Policy

The enclosed memorandum from the Secretary of Defense emphasizes that each Department of Defense (DoD) component fully comply with the President's directives to fulfill its responsibilities to American Indian and Alaska Native tribes. In addition to the Presidential directives, the Secretary of Defense has signed the enclosed Department of Defense American Indian and Alaska Native Policy.

The DOD American Indian and Alaska Native Policy supports tribal self-governance and government-to-government relations between the federal government and tribes. This policy provides general guidance and establishes the framework for increasing understanding and addressing tribal concerns that may affect tribal resources, tribal rights, or Indian lands.

The Army strongly supports these policies and I request that these policies be disseminated to all Army installations.

The point of contact for this action is Mr. Raymond Fatz at (703) 6957824.

Mahlon Apgar, IV

Enclosure



THE SECRETARY OF DEFENSE  
1000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-1000



20 OCT 1998

MEMORANDUM FOR SECRETARIES OF THE MILITARY DEPARTMENTS  
CHAIRMAN OF THE JOINT CHIEFS OF STAFF  
UNDER SECRETARIES OF DEFENSE  
DIRECTOR, DEFENSE RESEARCH AND ENGINEERING  
ASSISTANT SECRETARIES OF DEFENSE  
GENERAL COUNSEL OF THE DEPARTMENT OF DEFENSE  
INSPECTOR GENERAL OF THE DEPARTMENT OF DEFENSE  
DIRECTOR, OPERATIONAL TEST AND EVALUATION  
ASSISTANTS TO THE SECRETARY OF DEFENSE  
DIRECTOR, ADMINISTRATION AND MANAGEMENT  
DIRECTORS OF THE DEFENSE AGENCIES  
DIRECTORS OF THE DOD FIELD ACTIVITIES

SUBJECT: American Indian and Alaska Native Policy

In 1994, President Clinton issued a Presidential Memorandum reaffirming the federal government's commitment to operate within a government-to-government relationship with federally recognized American Indian and Alaska Native tribes. In 1996, the President signed, an Executive Order directing federal land management agencies to protect Indian sacred sites and accommodate access to them by Indian religious practitioners. And in 1998, the President issued an Executive Order requiring federal agencies to provide Indian tribes a meaningful and timely opportunity to comment on agency policies that significantly or uniquely affect tribal interests.

It is my intention that the Department of Defense fully comply with each of these Presidential directives and fulfill its responsibilities to American Indian and Native Alaskan tribes. To that end, I am delighted to forward to you the attached Department of Defense American Indian and Alaska Native Policy. This policy establishes the framework for a government-to-government relationship with federally recognized tribes that will ensure they receive timely notice and a meaningful opportunity to be heard before any Department of Defense component takes an action that may significantly affect protected tribal resources, tribal legal rights, or tribal lands.

In meeting the requirements of this policy, Department of Defense components are encouraged whenever possible to use existing processes, such as those under the National Environmental Policy Act, to solicit tribal review and comments. Where proposed actions may significantly affect the rights and status of tribal governments, however, tribes must be regarded as separate from the general public and existing processes revised to ensure tribes are given opportunities to participate in the decision-making process comparable to that accorded other governmental entities.



These policy principles shall be interpreted by each Department of Defense component in light of its respective mission. Each component head shall ensure that the component's activities are consistent with these principles. If tensions arise between these principles and the principles that guide the component in carrying out its military mission, components will develop, as necessary, appropriate means to ensure tribal interests are given due consideration and such tensions resolved.

These policy principles shall be effective immediately. Each component head shall thereafter ensure that his or her component's activities are undertaken in a manner that is fully consistent with these sovereignty and trust principles.

William S. Cohen

Attachment:  
As stated